

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 03, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

EFREN LAMBERTO SANDOVAL
(12),

Defendant.

No. 2:23-CR-00046-MKD-12

ORDER GRANTING MOTION TO
DISMISS INDICTMENT WITHOUT
PREJUDICE

ECF No. 720

Before the Court is the United States' Motion to Dismiss Indictment Without Prejudice, ECF No. 720. The United States moves the Court to dismiss, without prejudice, the Indictment, ECF No. 1, as to Defendant Efren Lamberto Sandoval (12). ECF No. 720. Defendant Sandoval (12) does not object to this motion. *Id.* at 2. The Court has reviewed the motion and the record and is fully informed. For the reasons stated below, the Court grants the motion.

Defendant Sandoval (12) is charged with Conspiracy to Distribute 500 Grams or More of Methamphetamine and 400 Grams or More of Fentanyl, in violation of 21 U.S.C. § 846. ECF. 1. He was arrested in the Southern District of

1 California on November 9, 2023. ECF No. 314 at 3. On October 31, 2024, he was
2 released to his daughter in Bakersfield, California, to undergo medical treatment.
3 ECF No. 506, 510. On January 28, 2025, the Court granted Defendant Sandoval
4 (12)’s Motion to Sever and Continue the Time for Filing Pretrial Motion and to
5 Continue Trial, ECF No. 532, due to Defendant Sandoval (12)’s ongoing medical
6 issues, which impacted his ability to interact with counsel and prepare for trial.
7 ECF No. 550.

8 The United States now represents that it is in possession of updated medical
9 information, which indicates that Defendant Sandoval (12) does not have a good
10 prognosis for recovery. ECF No. 720 at 2. Accordingly, the United States moves
11 to dismiss, without prejudice, the Indictment as to Defendant Sandoval (12) in the
12 interests of justice. *Id.*; *see also* Fed. R. Crim. P. 48(a) (“The government may,
13 with leave of court, dismiss an indictment, information, or complaint.”); *United*
14 *States v. Hayden*, 860 F.2d 1483, 1488 (9th Cir. 1988) (“Rule 48(a) allows the
15 government, provided it is not acting in bad faith, to dismiss an indictment without
16 prejudice and later to reindict based on the same or similar charges. . . . [W]hen the
17 government requests a Rule 48(a) dismissal in good faith, the district court is duty
18 bound to honor the request.”).

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The United States' Motion to Dismiss Indictment Without Prejudice,
3 **ECF No. 720**, is **GRANTED**.

4 2. The Indictment, **ECF No. 1**, is **DISMISSED without prejudice** as to
5 Defendant Efren Lamberto Sandoval (12).

6 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
7 and provide a copy to all counsel and the U.S. Probation Office.

8 **DATED** September 3, 2025.

9 s/Mary K. Dimke
10 MARY K. DIMKE
11 UNITED STATES DISTRICT JUDGE
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